

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

DEL RIO AMIGOS, LLC
Plaintiff,

VS.

TEX-X., INC., JOSHUA JACOB,
PARTNER ENGINEERING AND
SCIENCE, INC., BUCAVI, LLC, AND,
PARAMOUNT LODGING ADVISORS
OF TEXAS, LLC,
Defendants.

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NO. 2:20-cv-52

DEFENDANT BUCAVI, LLC'S NOTICE OF REMOVAL

Defendant Bucavi, LLC files this notice of removal pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 and would respectfully show this Court as follows:

Introduction

1. On September 11, 2020, Plaintiff Del Rio Amigos, LLC ("Plaintiff") filed Cause No. 2020-0161-CIV in the 83rd Judicial District Court of Val Verde County, Texas against Defendants, asserting state law claims for common law fraud, statutory fraud, and conspiracy in connection with a real estate transaction. Plaintiff's Original Petition seeks monetary relief "in excess of \$200,000 and less than \$1,000,000, and equitable relief." Exhibit A, Plaintiff's Original Petition at p. 2, ¶ 8.

2. No Defendant has been served. This Notice of Removal is timely filed on behalf of Bucavi, LLC. *See* 28 U.S.C. § 1446.

Grounds/Basis for Removal

3. Removal is proper pursuant to 28 U.S.C. § 1332 and 1441 because of diversity jurisdiction.

4. Plaintiff is a Texas Limited Liability Company. Plaintiff is wholly owned by Frank Messina, a citizen of Georgia.

5. Defendant Bucavi, LLC is a Texas Limited Liability Company. Bucavi is wholly owned by Corporativo Empresarial Bucavi, SA de C.V., a Mexican corporation with its principal place of business in Mexico.

6. Defendant Ten-X, Inc. is a Delaware corporation with its principal place of business in California.

7. Defendant Joshua Jacob is a citizen of California.

8. Defendant Partner Engineering and Science, Inc. is the fictitious name of Partner Assessment Corporation, a California corporation, with its principal place of business in California.

9. Defendant Paramount Lodging Advisors of Texas, LLC was a Texas Limited Liability Corporation but was dissolved in 2015. Paramount Lodging Advisors of Texas, LLC appears to have been wholly owned by a citizen of Florida.

10. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

Attached items

11. Defendant has attached the petition provided to it by counsel for plaintiff. Ex. A. Certified copies of the petition, civil cover sheet, and docket sheet will be provided when they are made available by the District Clerk as required by 28 U.S.C. § 1446.

Venue

12. Venue is proper in this district and division under 28 U.S.C. § 1441(a) because the state court where the action has been pending is located in this district and division. Defendant will promptly file a copy of this notice of removal with the Clerk of the state court where the action has been pending.

Prayer for relief

13. Defendants respectfully request that the Court remove this action to this federal court and grant all other relief to which they are justly entitled.

Respectfully submitted,

By: /s/ Geoffrey Berg
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Attorneys for Defendant Bucavi, LLC

CERTIFICATE OF SERVICE

I certify that Defendants' Notice of Removal was served as shown below on September 15, 2020.

Mr. James L. Drought
Drought, Drought & Bobbitt, L.L.P.
2632 Broadway Street, Suite 401-S
San Antonio, Texas 78215

By E-Mail (jld@ddb-law.com)

/s/Geoffrey Berg
Geoffrey Berg